

**This order is SIGNED.**

**Dated: November 18, 2022**



**WILLIAM T. THURMAN**  
U.S. Bankruptcy Judge



*Order Prepared by:*

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*Proposed attorneys for J&T Ellis Trucking, LLC*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

**In Re:**  
**J & T ELLIS TRUCKING LLC**

**Debtor.**

**Bankruptcy No. 22-24370**  
**Chapter 11**  
**(Subchapter V)**  
**Judge William T. Thurman**

**FINAL ORDER AUTHORIZING THE DEBTOR TO PAY CERTAIN CRITICAL PREPETITION  
PAYMENTS FOR INSURANCE, VENDORS, EMPLOYEES, AND UTILITIES**

Upon the motion (the "Motion")<sup>1</sup> filed by the above-captioned debtor and debtor-in-possession (the "Debtor") seeking entry of an order authorizing the Debtor to the Debtor to pay certain prepetition claims relating to insurance coverage, employees, critical trade creditors, and utilities (the "Critical Payments"), as set forth in the Motion, and authorizing the Debtor's

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

banks to honor and process check and electronic transfer requests related to the foregoing, and the Court, having reviewed the Motion and having heard the statements of counsel in support of the relief requested in the Motion at the hearing before the Court (the “Hearing”), and upon the record of the proceedings before this Court, and the Court finding that it has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334, that this is a core matter under 28 U.S.C. § 157(b)(2), that notice of the Motion and the Hearing were sufficient under the circumstances and that no further notice need be given for the final relief sought herein; and the legal and evidentiary bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein and that such relief is necessary to avoid immediate and irreparable harm to the Debtor’s estate, **THEREFORE, IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** on an final basis.
2. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Final Order.
3. The Debtor is authorized, but not required, to pay the Critical Payments owing relating to insurance coverage, employees, critical trade creditors, and utilities as indicated in the proposed budget attached as Exhibit A.
4. The Debtor is authorized to continue using and making payments on its fuel credit accounts, as indicated in the proposed budget attached as Exhibit A, in the ordinary course of its business so long as it pays the balance at the end of each billing cycle.
5. Payment made to employees and independent contractors prior to the entry of this Order are ratified as approved by this Order.

6. The Debtor's banks are authorized to honor and process check and electronic transfer requests related to the foregoing.
7. Rule 6003 of the Bankruptcy Rules has been satisfied to the extent applicable.
8. Notwithstanding Bankruptcy Rules 6004, 7062, or 9014, the terms and conditions of this Order shall be immediately effective upon its entry.
9. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**[END OF DOCUMENT]**

**DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing **FINAL ORDER AUTHORIZING THE DEBTOR TO PAY CERTAIN CRITICAL PREPETITION PAYMENTS FOR INSURANCE, VENDORS, EMPLOYEES, AND UTILITIES** shall be served to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

United States Trustee

Red Rock Legal Services, P.L.L.C.

D. Ray Strong, Subchapter V Trustee

Melinda Willden, United States Trust

By U.S. Mail - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

J & T Ellis Trucking LLC  
6654 West 1400 South  
Cedar City, UT 84720

Adena Ellis  
546 S 300 W  
Richfield, UT 84701

Caterpillar Financial Services Corp  
2120 West End Ave.  
PO Box 340001  
Nashville, TN 37203-0001

Chopping Motors  
1555 N Federal Blvd  
Riverton, WY 82501

DH Management  
6046 Bristol Dr.  
Anchorage, AK 99516

Geo Rock Transportation LLC  
1901 E Holiday Ln  
Washington, UT 84780

Hart Heavy Hauling  
210 Kerby Mainline Rd.  
Kerby, OR 97531

I-94  
4009 East Miriam Avenue  
Bismarck, ND 58501

John Ellis  
6654 West 1400 South  
Cedar City, UT 84720

Mellow Tucking LLC  
546 S. 300 W.  
Richfield, UT 84701

Mike Schnabel  
2030 Heywood Circle  
Salt Lake City, UT 84129

Montana-Dakota Utilities Co.  
5181 Southgate Dr  
Billings, MT 59101

Pilot Thomas  
1051 Mustang Drive, Suite 600  
Grapevine, TX 76051

Q&A Trucking LLC  
1000 S Pheasant Ridge ST  
Watford City, ND 58854

Silvershack Property & Transport Inc.  
1331 E Merritt Cir.  
Salt Lake City, UT 84117

U.S. Small Business Administration  
Disaster Assistance  
14925 Kingsport Road  
Fort Worth, TX 76155

Utah Independent Bank  
Monroe Branch  
PO Box 70  
Monroe, UT 84754

Verizon Wireless  
PO Box 489  
Newark, NJ 07101-0489

Xavier Chirac  
5336 Holland Loop Rd Unit B  
Cave Junction, OR 97523

## EXHIBIT A

J&T Ellis Trucking, LLC  
Debtor

Cash Flow Projections for 6 Month Period: November 1, 2022 - April 30, 2023

	Month	Month	Month	Month	Month	Month	Total
Cash Beginning of Month	\$18,500.00	\$23,940.72	\$29,142.44	\$34,344.16	\$39,545.88	\$44,747.60	\$31,703.47

## INCOME &amp; RECEIPTS

CASH SALES	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57
ACCTS REC COLLECTION							
SALE OF ASSETS							
OTHER							
TOAL RECEIPTS	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57	\$183,978.57

## EXPENSES &amp; DISBURSEMENTS

RENT	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00
JOHN ELLIS SALARY	\$10,874.00	\$10,874.00	\$10,874.00	\$10,874.00	\$10,874.00	\$10,874.00	\$10,874.00
HART HEAVY HAUL	\$12,658.00	\$12,658.00	\$12,658.00	\$12,658.00	\$12,658.00	\$12,658.00	\$12,658.00
GEO ROCK TRANSPORT LLC	\$19,589.00	\$19,589.00	\$19,589.00	\$19,589.00	\$19,589.00	\$19,589.00	\$19,589.00
SILVERSHACK PROPERTY & TRANSPORT INC	\$15,786.00	\$15,786.00	\$15,786.00	\$15,786.00	\$15,786.00	\$15,786.00	\$15,786.00
MELLO TRUCKING LLC	\$9,256.00	\$9,256.00	\$9,256.00	\$9,256.00	\$9,256.00	\$9,256.00	\$9,256.00
Q&A TRUCKING LLC	\$8,560.00	\$8,560.00	\$8,560.00	\$8,560.00	\$8,560.00	\$8,560.00	\$8,560.00
MIKE SCHNABEL	\$8,320.00	\$8,320.00	\$8,320.00	\$8,320.00	\$8,320.00	\$8,320.00	\$8,320.00
XAIVER CHIRAC	\$7,120.00	\$7,120.00	\$7,120.00	\$7,120.00	\$7,120.00	\$7,120.00	\$7,120.00
ADENA ELLIS	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00
LIECENSING & REGISTRATION	\$1,250.00	\$1,250.00	\$1,250.00	\$1,250.00	\$1,250.00	\$1,250.00	\$1,250.00
TERO	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
HIGHWAY TAX	\$45.83	\$45.83	\$45.83	\$45.83	\$45.83	\$45.83	\$45.83
PILOT THOMAS LOGISTICS	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
MAINTENANCE	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00
ACUITY INSURANCE PREMIUM	\$7,073.99	\$7,073.99	\$7,073.99	\$7,073.99	\$7,073.99	\$7,073.99	\$7,073.99
I-94 TRAILER SALES	\$10,700.00	\$10,700.00	\$10,700.00	\$10,700.00	\$10,700.00	\$10,700.00	\$10,700.00
CHOPPING MOTORS LEASE	\$2360.00	\$2360.00	\$2360.00	\$2360.00	\$2360.00	\$2360.00	\$2360.00
DRIVER HOUSING	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00
UTAH INDEPENDENT BANK	\$5,830.75	\$5,830.75	\$5,830.75	\$5,830.75	\$5,830.75	\$5,830.75	\$5,830.75
MONTANA DOKOTA UTILITY CO	\$460.00	\$460.00	\$460.00	\$460.00	\$460.00	\$460.00	\$460.00
CAT FINANCIAL	\$1,004.28	\$1,004.28	\$1,004.28	\$1,004.28	\$1,004.28	\$1,004.28	\$1,004.28
U.S. SBA	\$0.00	\$239.00	\$239.00	\$239.00	\$239.00	\$239.00	\$199.17
PROFESSIONAL FEES							\$0.00
US TRUSTEE FEES							\$0.00
COURT COST							\$0.00
OTHER							\$0.00
							\$0.00
TOTAL DISBURSEMENTS	\$178,537.85	\$178,776.85	\$178,776.85	\$178,776.85	\$178,776.85	\$178,776.85	\$178,737.02

NET CASH FLOW (RECEIPTS LESS DISBURSEMTNS)	\$5,440.72	\$5,201.72	\$5,201.72	\$5,201.72	\$5,201.72	\$5,201.72	\$5,241.55

CASH END OF MONTH	\$23,940.72	\$29,142.44	\$34,344.16	\$39,545.88	\$44,747.60	\$49,949.32	\$36,945.02
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